

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BRIAN D. PIERCE,	:	CIVIL ACTION NO.03-173E
	:	
	:	
Plaintiff,	:	Hon. Sean L. McLaughlin
	:	Magistrate Judge Susan
	:	Paradise Baxter
vs.	:	
	:	
PENNSYLVANIA DEPT. OF CORRECTIONS,	:	
	:	
	:	
Defendant,	:	

ORDER OF COURT

AND NOW, this ____ day of ____, 2005, upon due consideration of the Defendant's Motion for Summary Judgment and Plaintiff's Opposition thereto, it is hereby ORDERED that said Motion is denied.

BY THE COURT,

_____. J.